



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

In re the patent application of: Santos et al.  
For: TASTE MASKED AQUEOUS LIQUID PHARMACEUTICAL  
FILED COMPOSITION  
Filed: December 7, 2001  
Application No.: 10/017,697  
Art Unit: 1614  
Attorney Docket No.: DIZ-1

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INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this information Disclosure Statement

1.  Preliminary Statements
2.  FORM PTO - 1449 (Modified)
3.  Statement As To Information Material To Examination Not Found in Patents or Publications
4.  Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted.
5.  Cumulative patents or Publications
6.  Copies of Listed Information Items Accompanying This Statement
7.  Concise Explanation of Non-English Language Listed Information Items.
8.  Translation(s) of Non-English Language Documents
9.  Certification under MPEP 609(e)
10.  Identification of Person(s) Making This Information Disclosure Statement

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CERTIFICATE OF MAILING

[X] Certified Mail No: 7001 1940 0001 4327 2740

Date: February 5, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service, return receipt requested in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on this date.

Justin Wood

## **Section 1. Preliminary statements**

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO - 1449 (Modified) (SEE ATTACHMENT)**

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance or not considered. Include a copy of this form with the next communication to applicant.

## **Section 3. Statement As To Information Material For Examination Not Found in Patents or Publications (Information not listed in PTO 1449)**

## **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and For Which No Copies Are Submitted Or Need Be Submitted**

## **Section 5. Cumulative Patents or Publications**

Item(s)

are cumulative of the following patents or publication listed on Form PTO 1449 (modified):

In accordance with 37 CFR 1.98(c) a copy of \_\_\_\_\_ is being submitted with this information disclosure statement.

## **Section 6. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed accompany this information statement.

Exception(s) to above:

- Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.
- Cumulative patents or publications identified in Section 5.

## **Section 7. Concise Explanation of Non-English Language Listed Information Items**

## **Section 8. Translation(s) of Non-English Language Documents**

- Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:
  - No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

#### Section 9. Certification under Rule 1.97

The undersigned hereby certifies that:

a. This Statement is being filed after the latest of (1) three months after the filing date of a national application; (2) three months after the date of entry of the national stage as set forth in w 1.491 in an international application; (3) the mailing date of a first Office action on the merits.

b. The fee set forth in §1.17(p)

Is being paid with this Information Disclosure Statement

Is not due because:

(1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or

(2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.

#### Section 10. IDENTIFICATION OF PERSON(S) MAKING THIS INFORMATION DISCLOSURE STATEMENT

The person making this statement is

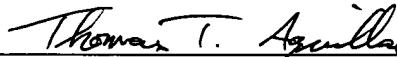
(a)  the inventor(s) who signs below

(b) [X] the attorney who signs below on the basis of:

the information supplied by the inventor(s)

an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)).

[X] the information in the attorney's file



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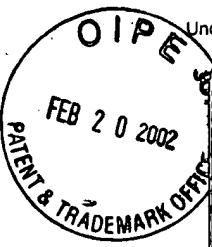
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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Application Number

10/017,697

Filing Date

12/07/01

First Named Inventor

Santos et al.

Group Art Unit

1614

Examiner Name

DIZ-1

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## ENCLOSURES (check all that apply)

- Fee Transmittal Form
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- Amendment / Response
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- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition Checklist and Accompanying Petition
- To Convert a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
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Firm or Individual name

Brown & Michaels, PC

Signature

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Justin Wood

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